

ORDINANCE NO. 23-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVER BEACH, CALIFORNIA, REPEALING CHAPTER 14 OF ARTICLE III, AND ADDING NEW CHAPTERS 14, 14.1, AND 14.2 OF ARTICLE III AND REPEALING SECTION 5210 OF CHAPTER 2 OF ARTICLE V OF THE GROVER BEACH MUNICIPAL CODE FOR THE ADOPTION OF THE CITY RESPONSE TO HOMELESSNESS, VEHICULAR HABITATION ON PUBLIC PROPERTY, VEHICULAR CAMPING ON PRIVATE PROPERTY AND CAMPING AND PARKING ON CITY PROPERTY

WHEREAS, the City Council of the City of Grover Beach ("City") has considered the report from City staff and all public comment(s), if any, on the need to enact an ordinance in accordance prohibiting sleeping in vehicles on public property or in public rights-of-way, encampments at public parks, authorizing temporary overnight encampment at designated city-owned parcel(s) and regulating the camping on private property.

WHEREAS, the City finds that it has a legitimate and compelling interest in protecting the public health, welfare and safety of its residents, as well as preserving the same within the City, its parks and other public property;

WHEREAS, the City has determined that an ordinance is necessary to protect the public health, welfare and safety of residents of the City, by enacting regulatory requirements for encampments and authorizing temporary overnight camping at designated City-owned parcel(s) and private property; and

WHEREAS, the City now desires to proceed with the process of enacting this ordinance for the purpose of protection of the public health, welfare and safety of its residents.

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF GROVER BEACH AS FOLLOWS:

PART 1. Chapter 14 of Article III, (Sleeping or Camping in Certain Areas Prohibited), of the Grover Beach Municipal Code, is hereby repealed in total.

PART 2. New Chapters 14. 14.1 and 14.2 of Article III, (CITY RESPONSES TO HOMELESSNESS) is hereby added to the Grover Beach Municipal Code as follows:

Chapter 14

CITY RESPONSES TO HOMELESSNESS

HOMELESSNESS RESPONSE POLICY

Section 3997.1. Findings and Purpose

- A. As its regional efforts continue, the City must appropriately consider various interests and formulate policy to best protect public health, safety, welfare, property, and the environment, with limited resources.
- B. The City Council acknowledges the lack of nightly shelter beds and housing currently available regionally and recognizes the systemic lack of state and federal investment in shelter and public health services for those experiencing homelessness.
- C. The City Council acknowledges that it is currently unavoidable that some people will live or shelter for survival outdoors until they are able to access affordable or free shelter or housing. In Grover Beach, this has typically meant sheltering, sometimes for extended periods of time, on City rights-of-way and City property, and at times on other agency property such as the California Department of Parks and Recreation property.
- D. Public rights-of-way and public property are generally intended for public use and travel. The City Council is the authority for rights-of-way within the City; as such, the City must consider the safety of motorists and pedestrians travelling on roadways and sidewalks, including to and from neighboring properties, businesses, and residences. The City has had increasing concerns regarding safety due to camping on or in rights-of way and public property in or near streets, roads, sidewalks, and public access points.
- E. Over the long term and working with other governmental agencies and non-profit organizations, the City's goal is that people should not have to live outside and there should be safer options because long-term camping for survival sheltering outside is not a solution for people without homes.
- F. The City owns extremely limited property where camping can or should be allowed. City utility properties (stormwater, water, sewer) are sensitive and generally closed to the public or have limited access for safety, environmental and security reasons.
- G. It is the purpose and intent of the City Council to provide standards for camping and survival sheltering on City rights-of-way and public property, which are intended to be as compatible as possible with the needs of everyone in Grover Beach to be healthy, safe, and have access to public places. Smaller sites support the safety of people who are camping for survival on public property.

- H. It is the purpose and intent of the City Council to provide standards for camping and survival sheltering on City rights-of-way and public property which will address issues such as fire risk, unsanitary conditions, trash, and public safety hazards to people camping and neighboring businesses and community members, and environmental degradation, which have occurred with longer-term camping in the City.
- I. It is the intent of the City to evaluate each removal of a campsite in light of the criteria in Section 3997.9 and with considerations of public health and safety, including for the people who are sheltering in the camps, potential user conflicts, and available resources. The City will use a team approach and coordinate with other governmental agencies and non-profit organizations as appropriate.
- J. When the City of Grover Beach removes a camp or closes a location people are sheltering in the public right-of-way or on public property, it will post notices a minimum 72-hours prior to the closure so everyone that would be affected by the move will have adequate notice, except in cases of exceptional emergency or criminal activity, as allowed by state law and set forth in Chapter 14.1 and 14.2
- K. The City looks for the safest options for cleaning the camp, often hiring a contract company that uses best practices and safe collection and works with service providers to minimize harm. Unless there is a public health or safety reason for emergency removal, service providers or other community resources will be notified in advance to be on hand for support and outreach ahead of time, consistent with State law.

Chapter 14.1

Section 3997.2. Use of Any Vehicle for Human Habitation on Public Property

- A. It is unlawful for any person to use a vehicle, camp-trailer, camper, coach, fifth-wheel travel trailer, house car, or recreational vehicle for human habitation or left parked for storage on any public street, city parking lot, city right-of-way or public property, as follows:
 - 1. Between the hours of 9:00 p.m. and 6:00 a.m.; and
 - 2. At any time, within 200 feet of a residential zoned property boundary. And

3. The 200 feet setback in Subdivision 2 of this Section 3997.2.A., shall not apply to the El Camino Real area as defined below in the following map. This area shall be subject to a 250 feet setback requirement from residential property boundaries. All other areas of the City, not otherwise defined in this Chapter or Chapter 14.2, shall require a 200 feet setback from residential property boundaries.



1. 250-foot setback at El Camino Real area

4. At any time, within 200 feet of a school that offers instruction on those courses of study required by the California Education Code or that is maintained pursuant to standards set by the State Board of Education. School for purposes of this section does not include a vocational or professional institution of higher education, including a community or junior college, college, or university. The setback shall be calculated from the school property boundaries.
5. For purposes of this section, evidence of human habitation may include observations, considering all the circumstances, that a person is using a vehicle, camp-trailer, camper, coach, fifth-wheel travel trailer, house car, or recreational vehicle for: sleeping; bathing; preparing or cooking meals; possessing or storing items that are not associated with ordinary vehicle use, such as a sleeping bag, bedroll, blanket, sheet, pillow, used bedding, kitchen utensils, cookware, cooking equipment, camping gear, food, water, personal grooming items, or containers of feces or urine. Evidence of human habitation also may include observations, considering all the circumstances, that: a person has obscured some or all of the windows; there is litter, rubbish, or waste in or around the vehicle, camp-trailer, camper, coach, fifth-wheel travel trailer, house car, or recreational vehicle; there is furniture set up in or around the vehicle, camp-trailer, camper, coach, fifth-wheel travel trailer, house car,

or recreational vehicle, such as chairs, tables, umbrellas, or portable cooking equipment; or there is evidence of human urination or defecation around the vehicle, camp-trailer, camper, coach, fifth-wheel travel trailer, house car, or recreational vehicle.

- B. This Section shall not apply if the street, city parking lot, city right-of-way or public property is specifically authorized by the City Manager, or designee, as defined here to be used for habitation.

Section 3997.3. Overnight Camping on Private Property

- A. Notwithstanding any other provision of this code or the Grover Beach Development Code, a total of three vehicles per parcel, may be used by people who lack access to permanent or safe shelter and who cannot obtain other housing for overnight camping in a parking lot or paved or gravel surface of a parcel of any size owned or leased by a religious institution, nonprofit, or a business, with permission of the property owner and lessee, and only after owner is issued a city permit by the Community Development Department.
- B. A property owner or lessee who allows overnight camping on a property pursuant to this section shall:
 - 1. Provide persons camping overnight with access to sanitary facilities, including but not limited to toilet, hand washing and trash disposal facilities at all times people are authorized to be present for overnight camping; and
 - 2. Not require payment of any fee, rent or other monetary charge for overnight camping authorized by this section.
 - 3. Restrict the use of owner's or lessee's property for no longer than 72 hours for each vehicle.
 - 4. Not allow the dumping of wastewater or trash on the property unless sufficient city approved receptacles are available.
 - 5. Not allow for the storage of personal property beyond six feet immediately adjacent to the vehicle.
 - 6. Not allow on-site storage of personal property when the personal property owner is no longer staying on the property being used for camping.
- C. A property owner who permits overnight camping pursuant to this section may revoke that permission at any time and for any reason. Any person who has permission to sleep on that property as provided in this section shall leave the property immediately after permission has been revoked.

- D. The provisions of this section are not intended to limit or otherwise change any land uses that may be permitted on property under the Grover Beach Development Code.
- E. This section shall not apply when the camping by tent or other removable structure is by minor children, under the direct care and supervision of a parent or guardian who is related to or visiting the owner of such property or the lessee of such property or the person in lawful possession of such property. This exception is only intended to cover short term and temporary camping in no event longer than three days.

Chapter 14.2

USE OF PUBLIC RIGHTS-OF-WAY AND CITY PROPERTY FOR CAMPING

Section 3997.4. Purpose and Scope

This Chapter is intended to balance and prioritize several interests: recognition of the essential human dignity of everyone in the City of Grover Beach; the need to have safe and orderly conditions in City rights-of-way and public property for the safety and benefit of everyone in Grover Beach; the right of everyone in Grover Beach to have shelter for sleep and safety; and respect for public spaces and public property in service to the entire community.

With this in mind, this Chapter is intended to regulate the use of public rights-of-way and City property to protect and preserve public places for their designed and intended purposes, while also making them available for shelter and sleeping by people who have no other options for shelter.

The City recognizes that surviving on City streets is typically an option of last resort. This Chapter and the City's enforcement efforts will be focused on mitigating the impacts to public health and safety that can arise from survival camping in public places.

Section 3997.5. Definitions

- A. To "camp", "tent camp" or the act of "camping" means to pitch a tent, use, or occupy camp materials or a camp for the purpose of occupancy, habitation, or sheltering for survival, and in such a way as will facilitate sleeping or storage of personal belongings, carrying on cooking activities, taking measures to keep protected from the elements including heat and cold, or any of these activities in combination with one another or in combination with either sleeping or making preparations to sleep. A "camp" is a location where people camp or are camping.

- B. "Camp materials" may include, but are not limited to, tents, chairs, tarps or tarpaulins, cots, beds, sleeping bags, flameless stoves, blankets, sleeping or bedding materials, food or food storage items, and/or similar items that are or appear to be used as living and/or sleeping accommodations, or to assist with living and/or sleeping activities.
- C. "City property" includes all real property, land and public facilities owned, leased (either to the City or by the City), controlled, or managed by the City of Grover Beach including City parking lots or parking structures, but excluding City owned or managed rights-of-way.
- D. "Established campsite" means a location or locations in the public right-of-way or on City property where a camp, camps, and/or camp materials have been set up for twenty-four (24) hours or more. Camps shall consist of no more than two individuals, two leashed dogs, and one tent.
- E. Note: "camp", "camping", "camp materials", "tent camps" and "established campsite" do not include vehicles, automobile, or recreational vehicles used for shelter and/or sleeping on public property or tents on private property, which are regulated in Sections 3997.2, or 3997.3. "City parking lot or parking structure" is a type of City property and means a developed or undeveloped area or facility owned, maintained, and/or leased by the City that is designated and/or used for parking vehicles.
- F. "Public rights-of-way" means all City-owned or controlled rights-of-way, whether in fee title or as holder of a public easement for right-of-way or public access purposes. Public rights-of-way include but are not limited to any public road, street, sidewalk, or private street or other property that is subject to a public access easement dedicated or granted to the City for vehicular, pedestrian, utilities or other means, and any planter strip or landscaped area located adjacent to or contained within streets that is part of the public right-of-way.
- G. Transportation Facility Loading Area shall be defined as that area within 200 feet of where trains, buses or any form of public transportation loads or unloads passengers.

Section 3997.6 Camping Prohibited on City Property

It is prohibited at all times for any person to use City property or rights-of-way to camp or for camping or for the purpose of occupancy, habitation, or sheltering for survival unless otherwise authorized in this Chapter, provided that the City Manager may, in their discretion, designate certain City properties or portions of properties or rights-of-way as exclusive areas where camping for sheltering and/or sleeping may be allowed on a limited basis, and may set the terms and conditions of any camping use that may be allowed. Any use of City property or rights-or-way will follow the applicable processes, including, where applicable, the Grover Beach Development and/or Municipal Code.

Section 3997.7 Time, Place and Manner Regulations

- A. People who do not have any other permanent residence or domicile and/or are involuntarily homeless are not prohibited from camping on public property or rights-of-way, provided camping is occurring in compliance with the following time, place and manner regulations and consistent with any administrative rules and policies promulgated by the City Manager, or designee, in accordance with Section 3997.6.
- B. Time
1. Unless otherwise specified, any camping or camp, where allowed, may only occur for 24-hours at a time in any one location. After a camp has been in one place for 24-hours or more, the City may post notice at the location that the camp, and all associated camp materials, must be removed no more than 72 hours later and all personal property remaining will be removed, as described in Section 3997.9.
 2. After 24 hours in one location, the camp and all associated camp materials must be moved at least one block or 600 feet, whatever is greater.
 3. Enforcement of time restrictions may be suspended when an individual does not have access to shelter and when an individual is engaged in case management or behavioral health services, or when necessary or appropriate to respond to an individual's disability, as further set forth in the City's comprehensive administrative policy implementing this Chapter 14.2 adopted by the City Manager, or designee.
- C. Place
1. In addition to the prohibition on camping on City property in Section 3997.6, camping is not allowed at any time in any of the following places:
 - a. Any area zoned Residential (R1, CR1, CPR1, R2, CR2, R3, CR3) on the City of Grover Beach Zoning Map in effect at the time.¹
 - b. Within any residential Overlay Zone, as determined by the City of Grover Beach Zoning Map and Grover Beach Development Code.
 - c. Any place where camping, a camp, or camp materials create a physical impediment to emergency or non-emergency ingress, egress or access to property, whether private or public, or on public

¹ Zone changes amend the City of Grover Beach Zoning Map but may not always be evident on the most recently published version of the map. The formal zoning designation of an area will control even if not reflected on the most recently published map. For public rights-of-way adjacent to properties with different zoning designations, the designation that is more restrictive for purposes of this Chapter will govern the use of that segment of the right-of-way.

sidewalks or other public rights-of-way, including but not limited to driveways providing access to vehicles, and entrances or exits from buildings and/or other real property.

- d. Any vehicle lane, bicycle lane, or roundabout within any public right-of-way or Transport Facility Loading Area, as defined in Section 3997.5.
- e. Within 1000 feet from any shelter approved under the Grover Beach Development Code and/or any applicable provision of state law.
- f. On any street or public right-of-way, the City has closed to camping due to construction, heavy vehicle use, or other use of the roadway that is incompatible with camping in the right-of-way. The City does not need to close a street to vehicle traffic or to close a street to camping under this section.
- g. At any time, within the setback distances for a residential property or school as defined in Section 3997.2 A. 2 and 3.

D. Manner

- 1. Camping, when and where allowed, is subject to all of the following:
 - a. Individuals, camp materials, camps, or personal property may not obstruct sidewalk accessibility or passage, clear vision, fire hydrants, City or other public utility infrastructure, or otherwise interfere with the use of the right-of-way for vehicular, pedestrian, bicycle, or other passage.
 - b. A camp or camping must be limited to a spatial footprint of 12 feet by 12 feet, or 144 square feet. The intent of this section is to allow a person to sleep protected from the elements and maintain the essentials for living, while still allowing others to use public spaces as designed and intended.
 - c. To prevent larger camping sites from forming and the impacts that can result, no more than three camps may be set up per street block. If there are any camps set up on a particular street block, no other camp may be within 150 feet of any of those camps, including but not limited to across the street or on another street block. In open public property areas like or similar to the El Camino Real area, camps may not be within 150 feet of any other camp.
 - d. Individuals may not accumulate, discard, or leave behind garbage, debris, unsanitary or hazardous materials, or other items of no apparent utility in public rights-of-way, on City property, or on any adjacent public or private property.

- e. Open flames, recreational fires, burning of garbage, bonfires, or other fires, flames, or heating deemed unsafe by the Five Cities Fire Authority, or the Grover Beach Police Department are prohibited. Types of flameless cooking stoves and other devices for keeping warm are permitted, as allowed by adopted City policies.
- f. Dumping of gray water (i.e., wastewater from baths, sinks, and the like) or black water (i.e., sewage) into any facilities or places not intended for gray water or black water disposal is prohibited. This includes but is not limited to city streets, public rights-of-way, public waterways and storm drains, which are not intended for disposal of gray water or black water.
- g. Unauthorized connections or taps to electrical or other utilities, or violations of Building, Fire, or other relevant codes or standards, are prohibited.
- h. Connections or taps to electrical or other utilities, that cross over City property, roadways, driveways, streets, sidewalks, and fences are prohibited.
- i. Obstruction or attachment of camp materials or personal property to fire hydrants, utility poles or other utility or public infrastructure, fences, trees, vegetation, vehicles, or buildings is prohibited.
- j. Individuals may not build or erect structures, whether by using plywood, wood materials, pallets, or other materials. Items such as tents, and similar items used for shelter that are readily portable are not structures for purposes of this section.
- k. Storage of personal property such as vehicle tires, bicycles, or associated components (except as needed for an individual's personal use), gasoline, generators, lumber, household furniture, propane tanks, combustible material or gases, or other items or materials, is prohibited, other than what is related to camping, sleeping, or keeping warm and dry.
- l. Digging, excavation, terracing of soil, alteration of ground, water or infrastructure, or damage to vegetation or trees is prohibited.
- m. All animals must be leashed or crated all times. Dogs must be licensed with San Luis Obispo County Animal Services.

Section 3997.8 Enforcement

- A. The City Manager, or designee, is specifically authorized to modify or suspend enforcement of any section or element of Chapters 14.1 or 14.2 in the event of a declared emergency, pursuant to administrative rules or policies, weather conditions (including but not limited to extreme heat or cold), or for any other reason within the City Manager's authority, regardless of whether an emergency has been declared.
- B. The City Manager, or designee may adopt administrative rules or policies governing or guiding enforcement of this Chapter, including but not limited to ensuring consistent and appropriate enforcement for various circumstances.
- C. Enforcement should be tailored for various circumstances, including but not limited to situations where a person has a disability under the Americans with Disabilities Act, where minor children are present or otherwise involved, where a person has employment obligations that may relate to their ability to comply with the code, or for other reasons that may support discretion in enforcement.
- D. Methods of enforcement for violations of this Chapter are not exclusive and may consist of multiple enforcement mechanisms where legally authorized and appropriate. However, the intent of the City is to always resolve violations at the lowest possible level, and to engage to seek compliance and solve problems while maintaining the dignity of all involved. To that end, violations of this Chapter should only result in citations or arrest when other means of achieving compliance have been unsuccessful or are not practicable for the particular situation.

Section 3997.9 Violations

- A. A citation for a violation of Chapters 14, 14.1 or 14.2 (collectively referred to in this Section as "Chapter") will be for an infraction. At the City's discretion, it may issue Administrative Citations under Article 1, Chapters 4 and 5. Citations will be issued only when other means of achieving compliance have been unsuccessful or are not practicable for the particular situation.
- B. Before a citation is issued, the enforcement personnel will contact the person and provide a reasonable opportunity to cure or remedy the alleged violation. In most cases, enforcement personnel will assess whether the person subject to citation has been referred to service providers and/or local non-profit assistance organizations and make a referral if it appears none has been made. The following will be communicated to the person in a manner designed to help them understand the issue or problem:

1. A description or identification of the activity constituting the alleged violation and identification of the recipient as being the person responsible for the violation.
 2. A written or verbal statement that the enforcement personnel has determined the activity to be a violation.
 3. A written or verbal statement of the action required to fix the violation and the time and/or date by which the violation must be fixed; and
 4. A written or verbal statement advising that if the violation is not fixed within the time specified, a citation will be issued and that a civil penalty in the maximum amount provided for the particular infraction or administrative citation may be imposed.
- C. A violation of this Chapter may result in the removal and/or clean-up of the camp or camps, camp material, or other personal property that are creating or contributing to the violation(s), typically after a request for voluntary compliance has been made as described in Section B, above, except in the case of an exceptional emergency, such as possible site contamination by hazardous materials or when there is danger to human life or safety or illegal activities, where removal can be immediate or be accomplished more quickly, depending on the severity of the situation. Any camp, camp materials, or personal property in violation of any of the standards in this Chapter may be removed or cleaned-up by the City or its designated contractors, subject to the requirements of storage of personal property and notice of storage described in Section E, below. Camps in violation will generally be prioritized for removal or clean-up based on factors such as risks and negative impacts to public health and safety and repeated violations of this chapter. A camp may be subject to removal or citation, or both.
- D. Upon a determination by enforcement personnel that a camp or camping is occurring in violation of this Chapter, an established campsite may be removed pursuant to the following procedures:
1. Prior to removing an established campsite on public rights-of-way or City property, at least 72-hours in advance, except in the case of exceptional emergency or criminal activity, the City must post notice at the location that the campsite must move and all personal property remaining will be removed and must inform local agencies that deliver services to homeless individuals where the notice has been posted that such notice has been posted.
 2. A campsite may be removed for violation of this chapter without posting a 72-hour notice:
 - a. When there are probably cause for law enforcement officials to believe that illegal activity, other than camping, is occurring on the campsite or in the immediate vicinity of the campsite, or the property

that comprises the campsite is being used or is intended to be used to commit or facilitate the commission of otherwise illegal activity; or in the event of an exceptional emergency, such as possible site contamination by hazardous materials or when there is immediate danger to human life or safety. If the danger to human life or safety can be reduced by moving the established campsite to a safer location, such as an adjacent landscape strip, the campsite should be moved rather than removed.

3. Once the 72-hour notice has been posted, the City may act on the notice and remove the campsite beginning 72 hours after posting and for up to ten (10) days following the posting.
4. After a camp has been removed subject to a 72-hour notice or under circumstances when no advance notice is required, the camp and all associated camp facilities must be moved at least one block or 600 feet, whichever is greater, and the City may order that no camp be set up in that same location or a 100-foot radius for up to 30 days. The City will post signs informing the public that camping is prohibited at the location.
5. When removing individuals and property from an established campsite, personnel will make reasonable efforts to remove individuals without the use of force, arrest, or citation. No person may be arrested or cited for failing to move under this Chapter prior to being asked by City personnel to move.
6. When removing personal property, the City will make reasonable efforts to determine if the property belongs to an individual and has any apparent utility. The City will make reasonable efforts to identify which established campsite property was removed from, to aid in connecting people with their property. Items that are perishable, or that have no apparent use, or that are in an unsanitary condition due to saturation or contamination from bodily fluids, whether human or animal, or other contamination, will be considered garbage, discarded, and need not be stored.
7. Weapons, drug paraphernalia, or other contraband, and items that appear to be either stolen or evidence of a crime, shall be given to law enforcement officials. Items that appear to have a value of \$1,000 or more shall be stored for storage and safekeeping and shall be made available as described in Section E., below.
8. Following removal of personal property from City property or right-of-way, the City must post a notice at or as near as possible to the location the property was collected and on the City's website, stating where the personal property is being stored, and listing the phone number and hours a person claiming ownership can collect or make arrangements to collect their personal property.

- E. Personal property or camp materials may be removed from City rights-of-way, City property, or a camp or campsite if in violation of the provisions of this Chapter.
- F. Personal property removed from City rights-of-way or City property and unclaimed at the time of removal will be stored by the City for a minimum of ninety (90) days, or the duration required by law at the time of the removal.
 - 1. Items that are perishable, that have no apparent use, are not identifiable as belonging to an individual, or that are in an unsanitary condition due to saturation or contamination from bodily fluids, whether human or animal, or other contamination, will be considered garbage, discarded, and will not be stored. Property discarded, dumped, or otherwise abandoned in the City rights-of-way or on public property may be immediately discarded.
 - 2. The City will store personal property at or near one of the City business locations, where people can reasonably retrieve belongings.
 - 3. The City will make reasonable efforts to provide a range of times the storage location will be available for people to collect their personal property. The City may dispose of any personal property that remains unclaimed after ninety (90) days, or such duration as required or allowed by law.

PART 3. Section 5210 of Chapter 2 of Article V (Sanitation and Health) is hereby repealed in total.

PART 4. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held invalid by a court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases, be declared invalid.

PART 5. All ordinances and parts of ordinances in conflict with those sections amended or added herein are hereby repealed.

PART 6. Effective Date. This Ordinance shall not become effective and in full force and effect until 12:01 a.m. on the thirty-first day after its final passage. However, within fifteen (15) days after adoption by the City Council, the Ordinance shall be published once, together with the names of the Council Members voting thereon, in a newspaper of general circulation within the City.

INTRODUCED at a regular meeting of the City Council held on March 13, 2023 and **PASSED, APPROVED, and ADOPTED** by the City Council on March 27, 2023, on the following roll call vote, to wit:

AYES: Council Members – Robert, Rushing, Weirick, and Mayor Bright
NOES: Council Members – None
ABSENT: Council Members – None
ABSTAIN: Council Members – None
RECUSED: Council Members – None




KAREN BRIGHT, MAYOR

Attest:



WENDI SIMS, CITY CLERK

Approved as to Form:



DAVID P. HALE, CITY ATTORNEY